

## **Remarks**

The above Amendments and these Remarks are in reply to the Office Action mailed March 17, 2008.

### **I. Summary of Examiner's Objections/Rejections**

The Office Action rejected claims 1, 10-13, 16-18, and 25-27.

Claims 1, 12, 16, 17, 26, and 27 were rejected under 35 U.S.C. 102(b) as allegedly anticipated by Bentley et al. (U.S. Patent No. 5,815,415).

### **II. Summary of Applicant's Response**

This Reply amends claim 1, leaving for the Examiner's present consideration claims 1, 10-13, 16-18, and 25-27. Claim 1 was amended to better describe embodiments of Applicant's invention. Reconsideration of the claims is requested.

### **III. Response to 35 U.S.C. 112 Rejection to Claim 1**

Claim 1 was amended to better describe embodiments of Applicant's invention. Applicant respectfully submits that Claim 1 even more fully satisfies the requirements of 35 U.S.C. 112.

### **IV. Response to 35 U.S.C. 102(b) and 103(a) Rejections to Claims 1, 10-12, 16-18, and 25-27**

#### **Claim 1**

Claim 1 as amended states:

A high level dynamic code generation method, comprising:

- a) automatically creating a class file container object that stores source code

describing a class, wherein creating a class file container object includes selecting a class name and a super class for the class;

b) adding a first source code defining a method to the class stored in the class file container object;

c) adding a second source code into the method in the class stored in the class file container object;

d) repeating steps b and c to populate the class stored in the class file container object;

e) generating a tree of statements and expressions based on the class stored in the class file container object;

f) using the tree of statements and expressions to generate byte code for the class; and

g) instantiating an instance of the class;

wherein the method can dynamically generate code ~~for any type of Java~~<sup>TM</sup> program.

Claim 1 defines a high level dynamic code generation method. The steps comprise: automatically creating a class file container object that stores source code describing a class, wherein creating a class file container object includes selecting a class name and a super class for the class, adding a first source code defining a method to the class stored in the class file container object, adding a second source code into the method in the class stored in the class file container object, repeating the previous two steps to populate the class stored in the class file container object, generating a tree of statements and expressions based on the class stored in the class file container

object, using the tree of statements and expressions to generate byte code for the class, and instantiating an instance of the class, wherein the method can dynamically generate code.

Claim 1 was rejected under 102(b) based on Bentley. Bentley, col. 11, lines 15-19, describes “an object-oriented schema implementation programming language.”

Claim 1 requires “A high level dynamic code generation method, comprising: a) automatically creating a class file container object that stores source code describing a class, wherein creating a class file container object includes selecting a class name and a super class for the class.” Bentley describes an object-oriented programming language. While Bentley describes a programming language that a programmer could use to create a class, Bentley does not disclose Claim 1 which requires “automatically creating a class file container object.” Furthermore, Bentley’s object oriented programming language does not disclose “dynamic code generation.”

Applicant respectfully submits that the embodiment as defined in Independent Claim 1 is neither anticipated by Boehme nor obvious in view of Mellender. Applicant respectfully requests that the 35 U.S.C. § 102(e) and 103(a) rejections to claim 1 be withdrawn.

#### Claims 10-12, 16-18, and 25-27

Dependent Claims 10-12, 16-18, and 25-27 depend from Claim 1. For at least the reasons discussed above, Dependent Claims 10-12, 16-18, and 25-27 are patentable. Dependent Claims 10-12, 16-18, and 25-27 add their own features which render them patentable in their own right.

#### **V. Conclusion**

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting

issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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